REMARKS

In the Office Action of July 2, 2004, claims 8 and 9 were objected to for having improper dependency. Additionally, claims 8, 13, 14 and 30 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In the present Amendment, Applicants have amended claims 8, 9, 13, 14 and 30 in order to provide proper dependency in these claims. As such, Applicants respectfully submit that claims 8, 9, 13, 14 and 30 do not suffer from any § 112 deficiencies or improper dependency. As such, Applicants respectfully request the objections and § 112 rejections to these claims be removed.

Also in the Office Action of July 2, 2004, claims 1-6, 12 and 17-21 were rejected under 35 U.S.C. § 102(b) or in the alternative under 35 U.S.C. § 103(a) over Bluhm, et al. (U.S. Patent No. 5,556,511).

Claims 8-11, 13-16 and 22-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bluhm, et al. in view of Applicants' admission.

Applicants respectfully submit that claim 1 defines over Bluhm, et al. Bluhm, et al. does not disclose or render obvious a process for producing tissue webs that makes use of a porous fabric in which the air permeability of the porous fabric is at least 400 cfm.

Bluhm, et al. discloses a process for drying paper webs that includes a counter roll 9 and a press roll 9' between which a web B carried by a felt 3 are positioned (see Figure 7 of Bluhm, et al.). A press shoe 7 is covered by an elastic covering 8 and presses against both the web B and felt 3 when the web B and felt 3 are passed between the rolls 9 and 9' (see Bluhm, et al. at col. 4, ll. 39-44 and Figure 7). The felt 3 used in Bluhm, et al. is a conventional felt. The web B in Bluhm, et al. is dried by both compression and heat.

Claim 1 of Applicants' application calls for a process for producing tissue webs that includes a porous fabric in which the air permability of the porous fabric is at least 400 cfm. Support for this claim amendment may be found on at least page 7, ll. 10-12 of Applicants' application. Because the fabric used is a porous fabric with an air permability of at least 400 cfm, the fabric contacts the web at selected locations when the web and fabric are pressed together (see page 7, ll. 20-22 of Applicants' application). This type of engagement is distinguished from that in Bluhm, et al. that instead discloses full contact

between the felt and web and a large amount of compression between the two through the use of the press shoe 7. The press shoe 7 in Bluhm, et al. presses with such a force that a deformable covering adapts itself to the form of the counter roll 9 (see Bluhm, et al. at col. 3, ll. 52-54). In contrast, the porous fabric of the process in claim 1 of Applicants' application allows for the web to be dried without significantly compressing the sheet (see Applicants' application at page 10, ll. 20-21).

Additionally, it would not have been obvious for one having ordinary skill in the art to modify Bluhm, et al. so that the conventional felt 3 used were modified to be a porous fabric with an air permability of at least 400 cfm. Bluhm, et al. is specifically directed towards a process for drying paper web in which the felt 3 and web B are fully compressed by a press shoe 7. Bluhm, et al. discloses only a conventional felt 3 and does not disclose a porous fabric with an air permability of at least 400 cfm and provides no motivation or teaching to one of ordinary skill in the art to provide for such a porous fabric because Bluhm, et al. is specifically directed towards a process in which the web B is dried through complete compression with the use of a press shoe 7 that presses with such a force so as to deform a covering 8.

As such, Applicants respectfully submit that claim 1 defines over Bluhm, et al. and is in condition for allowance. Additionally, all claims that depend from claim 1 (claims 2-11) are also in condition for allowance. The rejections to claims 2-11 are made moot due to the allowance of claim 1.

Claim 12 was also rejected under 35 U.S.C. § 102(b) or alternatively under 35 U.S.C. § 103(a) in view of Bluhm, et al. Applicants have amended claim 12 in a manner similar to the amendment made to claim 1 and submit that claim 12 defines over Bluhm, et al. for essentially the same reasons as discussed above with respect to claim 1. Further, all claims that depend from claim 12 (claims 13-23) are also in condition for allowance. The rejections to claims 13-23 are made moot due to the allowance of claim 12.

Claim 24 was rejected under 35 U.S.C. § 103(a) as being obvious in view of Bluhm, et al. Applicants have amended claim 24 in order to call for a process for producing tissue webs that includes the step of placing the web onto a porous fabric that has an air permability of at least 400 cfm. Applicants respectfully submit that claim 24 is unobvious in view of Bluhm, et al. for essentially the same reasons as discussed above with respect to

Applicants' reasoning concerning the § 103(a) rejection to claim 1 in view of Bluhm, et al. As such, Applicants respectfully submit that claim 24 defines over Bluhm, et al. and is in condition for allowance and that all claims that depend from claim 24 (claims 25-33) are also in condition for allowance. The rejections to claims 25-33 are made moot due to the allowance of claim 24.

Applicants respectfully submit that all claims are allowable and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at his convenience to resolve any remaining issues.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully submitted,

September 28, 2004
Date

Neal P. Pierotti

Neal P. Pierotti
Reg. No. 45,716
DORITY & MANNING, P.A.
P.O. Box 1449
Greenville, SC 29602
(864) 271-1592
(864) 233-7342